

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
CLERKS OFFICE

2005 DEC 16 P 3:06

UNITED STATES OF AMERICA,)
MASSACHUSETTS,)
GOVERNMENT)
VS.)
ROBERT D. ARNOLD,)
DEFENDANT)

U.S. DISTRICT COURT
DISTRICT OF MASS.

DOCKET NO. 05-10018-RCL

DEFENDANT'S MOTION TO CONTINUE SENTENCING DATE

NOW COMES the Defendant in the above-entitled matter and through his attorney of record, Edward F. Pasquina respectfully requests this Honorable Court to continue the date set for sentencing on December 21, 2005 at 2:30 PM to any date the second week of January 2006.

FOR REASON THEREOF: Defense counsel retained a psychologist to examine the Defendant so that the totality of his being would be presented to this Honorable Court for consideration prior to an adjudication of sentence. Dr. John Daignaut has concluded his examination of the Defendant along with interviews of family members his conclusion is that there are significant psychological issues related to the Defendant's state of mind at the instant time of the offense. He (Daignaut) requests additional time so that he may prepare a lengthy narrative report for his Honor's perusal

See attached correspondence Dr. John Daignaut marked as Exhibit "A".

FURTHER: The granting of this motion would not be of prejudice to any party involved in the proceedings. Defendant has entered a guilty plea and is currently incarcerated at the House of Correction in Middleton Massachusetts.

Dated: December 15, 2005

Respectfully Submitted,



EDWARD F. PASQUINA
Attorney for Defendant
75 Middle Street
Gloucester, MA. 01930
978/281-4848

EXHIBIT "A"



John Daignault, Psy.D.

Ronald Ebert, Ph.D.

VIA FACSIMILE AND FIRST CLASS MAIL

December 13, 2005

Edward Pasquina, Esquire
75 Middle Street
Gloucester, MA 01930

RE: **Robert D. Arnold**

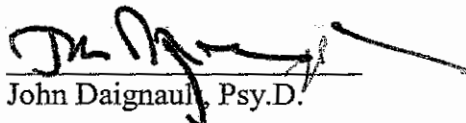
Dear Attorney Pasquina:

I have concluded my evaluation in this case and have determined there are significant psychological issues related to Mr. Arnold's state of mind at the time of the instant offense.

I am now ready to formulate a written report. I anticipate being able to provide it to you within the next several weeks. Given the advent of the holidays, however, I would suggest you grant me until the beginning of January for its completion and submission to you.

Thank you for your attention.

Sincerely,


John Daignault, Psy.D.

JD/ys